

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 HARLAN ISKE,

4 Plaintiff,

5 v.

6 LOVELOCK CORRECTIONAL CENTER  
7 DENTAL, *et al.*,

8 Defendants.

Case No. 3:20-cv-00061-RFB-WGC

**ORDER**

9 **I. DISCUSSION**

10 On January 27, 2020, Plaintiff, an inmate in the custody of the Nevada Department  
11 of Corrections ("NDOC"), submitted a civil rights complaint pursuant to 42 U.S.C. § 1983  
12 and filed an application to proceed *in forma pauperis*. (ECF Nos. 1, 1-1). On January 31,  
13 2020, this Court issued an order denying Plaintiff's application to proceed *in forma*  
14 *pauperis* without prejudice to file a new application because Plaintiff's application had  
15 been incomplete. (ECF No. 3).

16 On February 4, 2020, Plaintiff filed a new application to proceed *in forma pauperis*  
17 which was also incomplete. (ECF No. 4). On February 5, 2020, this Court issued another  
18 order denying Plaintiff's application to proceed *in forma pauperis* without prejudice to file  
19 a new application because Plaintiff had not submitted all necessary pages of his  
20 application. (ECF No. 5). Specifically, Plaintiff had not submitted pages two and three of  
21 this Court's application form. On February 11, 2020, Plaintiff submitted another  
22 incomplete application to proceed *in forma pauperis*. (ECF No. 6).

23 Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must submit  
24 a fully complete application to proceed *in forma pauperis* on this Court's approved form  
25 and attach an inmate account statement for the past six months and a properly executed  
26 financial certificate. Plaintiff's application at ECF No. 6 is still missing page three. As  
27 such, Plaintiff's *in forma pauperis* application (ECF No. 6) is denied without prejudice.  
28 Plaintiff will be granted one further opportunity to cure the deficiencies of his application

1 to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If  
2 Plaintiff chooses to file a new application to proceed *in forma pauperis*, he must file a fully  
3 complete application to proceed *in forma pauperis*, including all pages of the Court's  
4 application form. If Plaintiff files another incomplete application to proceed *in forma*  
5 *pauperis*, the Court will dismiss the case in its entirety, without prejudice, to file a new  
6 case when Plaintiff is able to file a fully complete application to proceed *in forma pauperis*.

7 The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file  
8 it until the matter of the payment of the filing fee is resolved. Plaintiff is advised that this  
9 case will not be placed in line for screening until he files a fully complete application to  
10 proceed *in forma pauperis* and attaches both an inmate account statement for the past  
11 six months and a properly executed financial certificate or pays the full \$400 filing fee.

## 12 **II. CONCLUSION**

13 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed  
14 *in forma pauperis* (ECF No. 6) is DENIED without prejudice to file a new and fully  
15 complete application.

16 IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff the  
17 approved form application to proceed *in forma pauperis* by a prisoner, as well as the  
18 document entitled information and instructions for filing an *in forma pauperis* application.

19 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,  
20 Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis*, on  
21 the correct form with complete financial attachments in compliance with 28 U.S.C. §  
22 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing  
23 fee and the \$50 administrative fee).

24 IT IS FURTHER ORDERED that, if Plaintiff's next application to proceed *in forma*  
25 *pauperis* is incomplete, the Court will dismiss the case, without prejudice, for Plaintiff to  
26 file a new case when he is able to file a fully complete application to proceed *in forma*  
27 *pauperis*.

28 IT IS FURTHER ORDERED that, if Plaintiff does not timely comply with this order,

1 dismissal of this action may result.

2 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint  
3 (ECF No. 1-1), but will not file it at this time.

4 DATED: February 14, 2020

5 William G. Cobb  
6 UNITED STATES MAGISTRATE JUDGE  
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